

**Memo regarding Hearings upon Civil Motions in Superior Court  
Judicial District 29B  
Henderson, Polk, Transylvania Counties**

“Remote” hearings upon civil motions, employing the Administrative Office of the Courts – approved WebEx remote meeting software, will continue through the end of May, 2020, in compliance with the recent pandemic-response orders of Chief Justice Beasley.

All parties to a Motion must consent to its remote hearing, prior to scheduling of the hearing. Participation in the remote hearing is further confirmation of consent. All counsel of record and *pro se* parties shall be served in compliance with Rule 5 of the NC Rules of Civil Procedure absent stipulation or agreement otherwise. All parties must agree to appear by audio - video conference. No party may elect to appear in person.

Participants are not required to download software; counsel or *pro se* party merely clicks on the link sent by the judge with the invitation. Parties will confirm the scheduled time in advance, and will adhere to time limits as suggested by their estimates of time required to hear the Motion.

Documents offered by the parties, including affidavits, verified pleadings, and memoranda, should be forwarded by email attachment to the presiding judge not later than two days prior to the hearing date. Parties reserve the right to object to the use or consideration of any document.

Pursuant to the order of the Chief Justice, affidavits may consist of statements sworn to and subscribed under penalty of perjury, in lieu of notarization.

An audio recording of each proceeding is made by the Web Ex software audio recording system, or, in some cases, a verbatim record of a proceeding may be made by a court reporter.

These proceedings are open to the public. Any individual interested in viewing the proceedings may do so by contacting the Trial Court Coordinator, Daphne Carland ([Daphne.P.Carland@nccourts.org](mailto:Daphne.P.Carland@nccourts.org)) for a link to observe the proceedings. All hearing participants who did not receive a direct invitation from the court shall have their microphones muted unless directed otherwise by the presiding judge.

No one other than named litigants and attorneys of record will be allowed to participate in the video conference. However, an invited participant may forward the invitation to others, including clients, associates, paralegals, and administrative assistants.

During the course of video conferencing, proper courtroom decorum as outlined in Rule 12 of the General Rules of Practice for the Superior and District Courts is required. However, business casual shall be the appropriate dress for counsel appearing via video conference.

As an alternative to a remote hearing, the parties may stipulate that the Court can decide the motion on the briefs without a hearing.